

# DECLARATION AND POWER OF ATTORNEY FOR ORIGINAL U.S. PATENT APPLICATION

Attorney's Docket No. CISCP123/1688

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **INTELLIGENT POWER LEVEL ADJUSTMENT FOR CABLE MODEMS IN PRESENCE OF NOISE** the specification of which,

(check one)

1.  is attached hereto.
2.  was filed on \_\_\_\_\_ as  
U.S. Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.
3.  was filed on \_\_\_\_\_ as  
International PCT Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR § 1.56.

## Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

(Application No.)	(Country)	(Filing Date)	Priority Benefits Claimed? Yes <input type="checkbox"/> No <input type="checkbox"/>
_____	_____	_____	Yes <input type="checkbox"/> No <input type="checkbox"/>

## Provisional Application(s)

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

(Application No.)	(Filing Date)
_____	_____

**Prior U.S. Application(s)**

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

(Application No.) \_\_\_\_\_ (Filing Date) \_\_\_\_\_ (Status - patented, pending, abandoned) \_\_\_\_\_

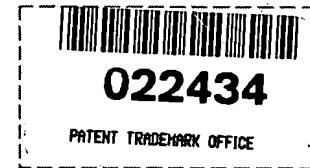
(Application No.) \_\_\_\_\_ (Filing Date) \_\_\_\_\_ (Status - patented, pending, abandoned) \_\_\_\_\_

**Power of Attorney**

And I hereby appoint the law firm of **Beyer & Weaver, LLP** and all practitioners who are associated with the Customer Number 022434 as my principal attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

**Direct Correspondence To:**

**Customer Number: 022434**  
BEYER & WEAVER, LLP  
P.O. Box 61059  
Palo Alto, CA 94306



**Direct Telephone Calls To:**

Jeffrey K. Weaver at telephone number (510) 843-6200

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

**Typewritten Full Name of Sole or First Inventor:**

Guenter E. Roeck

Citizenship: Germany

**Inventor's signature:**

A handwritten signature of Guenter E. Roeck.

Date of Signature: 1/4/2000

**Residence: (City)**

San Jose

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**Second Inventor:**

Mark E. Millet

Citizenship: U.S.

**Inventor's signature:**

A handwritten signature of Mark E. Millet.

Date of Signature: 1/7/2000

**Residence: (City)**

Mountain View

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Third Inventor: Son D. Nguyen Citizenship: U.S.  
Inventor's signature: Son Nguyen Date of Signature: 1/4/2000  
Residence: (City) San Jose (State/Country) California/U.S.  
Post Office Address: 276 Shoshone Court, San Jose, California 95127

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Guenter E. Roeck et al.

Attorney Docket No.: CISCP123/1688

Application No.: To Be Assigned

Examiner: To Be Assigned

Filed: HEREWITH

Group: To Be Assigned

Title: Intelligent Power Level Adjustment for  
Cable Modems in Presence of Noise

## CERTIFICATE OF EXPRESS MAILING

I hereby certify that this paper and the documents and/or fees referred to as attached therein are being deposited with the United States Postal Service on January 18, 2000 in an envelope as "Express Mail Post Office to Addressee" service under 37 CFR §1.10, Mailing Label Number **EL065189549US**, addressed to the Assistant Commissioner for Patents, Washington, DC 20231

Signed: Dionna Holmes  
Dionna Holmes

ASSOCIATE POWER OF ATTORNEYAssistant Commissioner for Patents  
Washington, DC 20231

Sir:

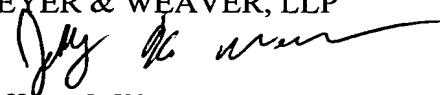
The undersigned attorney of record in the subject patent application hereby grants an Associate Power of Attorney to add Robert Barr, Registration No. 32,292, of Cisco Technology, Inc., and all practitioners who are associated with the **Customer Number 022434** to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please send all correspondence for this application as follows:

**Customer Number 022434**  
BEYER & WEAVER, LLP  
P.O. Box 61059  
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Please direct any calls to **Attorney Name** (650) 493-2100.

Respectfully submitted,  
BEYER & WEAVER, LLP

  
Jeffrey K. Weaver  
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